

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

20230930-DK-BUTTERFLY-1, INC.,
f/k/a BED BATH & BEYOND INC.,

Plaintiff,

-vs.-

HBC INVESTMENTS LLC and
HUDSON BAY CAPITAL MANAGEMENT LP,

Defendants.

Civil Action No. 1:24-cv-03370-MKV

**DEFENDANTS HBC INVESTMENTS LLC AND HUDSON BAY CAPITAL
MANAGEMENT LP'S NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss, Defendants HBC Investments LLC and Hudson Bay Capital Management LP, by and through their attorneys, Akin Gump Strauss Hauer & Feld LLP, will move this Court at such time and place as the Court Designates, before the Honorable Judge Mary Kay Vyskocil, at the United States Courthouse located at 500 Pearl Street, New York, New York 10007 for an Order dismissing this action with prejudice, pursuant to FRCP 12(b)(6), and for any further relief that this Court deems just and proper.

Dated: July 11, 2024
New York, New York

Respectfully Submitted,

/s/ Douglas A. Rappaport

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